

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

PRESIDENT AND FELLOWS OF
HARVARD COLLEGE,

Plaintiff,

v.

UNITED STATES DEPARTMENT OF
HEALTH AND HUMAN SERVICES, *et al.*,

Defendants.

Civil Action No.: 1:25-cv-11048-
ADB

**UNOPPOSED MOTION OF BOSTON UNIVERSITY; BROWN UNIVERSITY;
CALIFORNIA INSTITUTE OF TECHNOLOGY; COLORADO STATE UNIVERSITY;
DARTMOUTH COLLEGE, JOHNS HOPKINS UNIVERSITY; MASSACHUSETTS
INSTITUTE OF TECHNOLOGY; MICHIGAN STATE UNIVERSITY; OREGON
STATE UNIVERSITY; PRINCETON UNIVERSITY; RICE UNIVERSITY; RUTGERS
UNIVERSITY; TUFTS UNIVERSITY; UNIVERSITY OF MARYLAND, COLLEGE
PARK; UNIVERSITY OF OREGON; UNIVERSITY OF PENNSYLVANIA;
UNIVERSITY OF PITTSBURGH; AND YALE UNIVERSITY FOR LEAVE TO FILE A
BRIEF *AMICI CURIAE* IN SUPPORT OF PLAINTIFF'S MOTION FOR SUMMARY
JUDGMENT**

Boston University; Brown University; California Institute of Technology; Colorado State University; Dartmouth College; Johns Hopkins University; Massachusetts Institute of Technology; Michigan State University; Oregon State University; Princeton University; Rice University; Rutgers University; Tufts University; University of Maryland, College Park; University of Oregon; University of Pennsylvania; University of Pittsburgh; and Yale University (collectively, “*amici*”) respectfully move, through undersigned counsel, for leave to file a brief as *amici curiae* in support of Plaintiff. In support of this motion, *amici* further state:

1. Although the Federal Rules of Civil Procedure and the local rules do not address the filing of *amicus curiae* briefs in district court, “a district court has ‘inherent authority’ to

appoint *amici* to assist it in a proceeding.” *Students for Fair Admissions v. President & Fellows of Harv. Coll.*, No. 14-cv-14176-ADB, 2018 WL 9963511, at *1 (D. Mass. Oct. 3, 2018) (quoting *Portland Pipe Line Corp. v. City of S. Portland*, No. 2:15-cv-54-JAW, 2017 WL 79948, at *4 (D. Me. Jan. 9, 2017)). And district courts “frequently welcome” the assistance of *amici* when the legal issues “have potential ramifications beyond the parties directly involved.” *Ark. Tchr. Ret. Sys. v. State St. Bank & Tr. Co.*, 523 F. Supp. 3d 181, 193 (D. Mass. 2018) (quoting *Conservation Cong. v. U.S. Forest Serv.*, No. 2:14-cv-2228-GEB, 2015 WL 300754, at *1 (E.D. Cal. Jan. 22, 2015)).

2. *Amici*’s brief serves that purpose. *Amici* are American research universities. Each institution has received millions of dollars in federal investments in scientific research over the decades. Together with private donations and their own investments, the universities have put those resources to work, conducting fundamental research that has advanced scientific knowledge, safeguarded national security, strengthened the American economy, and saved countless lives. Their work is vital to American competitiveness and leadership. And, as the *amicus* brief will illustrate, their work is dependent on the unique nature of universities; this essential research would not be nearly as fruitful if conducted by institutions outside academia.

The federal funding terminations challenged in this lawsuit inflict grievous harm that extends well beyond Harvard University. As *amici* intend to explain, academic research is an interconnected enterprise. The elimination of funding at Harvard negatively impacts the entire ecosystem. The cuts will disrupt ongoing research, ruin experiments and datasets, destroy the careers of aspiring scientists, and deter long-term investments at universities across the country, including *amici*. *Amici* can therefore offer a broader perspective of how these devastating consequences will play out, adding dimensionality to the argument that the funding cuts

fundamentally threaten the longstanding, mutually beneficial partnership between the government and academia that has powered American innovation and ensured American leadership for over eighty years.

3. In accordance with Local Rule 7.1(a)(2), *amici* have conferred with counsel for Plaintiffs and counsel for Defendants. Plaintiffs have consented to the filing of this brief. Defendants do not oppose.

For the foregoing reasons, *amici* respectfully request that the Court grant their motion for leave to file a brief as *amici curiae*.

Dated: June 6, 2025

Respectfully submitted,

/s/ Daniel J. Cloherty
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**Pro hac vice* application forthcoming

Counsel for Boston University; Brown University;

Colorado State University; Dartmouth College; Johns Hopkins University; Massachusetts Institute of Technology; Michigan State University; Oregon State University; Princeton University; Rice University; Rutgers University; Tufts University; University of Maryland, College Park; University of Oregon; University of Pennsylvania; and University of Pittsburgh

CERTIFICATE OF SERVICE

I hereby certify that on June 6, 2025, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system. Notice of this filing will be sent to all attorneys of record by operation of the Court's electronic filing system.

/s/ Daniel J. Cloherty
Daniel J. Cloherty

CERTIFICATE OF COMPLIANCE

I hereby certify that on June 6, 2025, counsel for *amici curiae* conferred with counsel for Plaintiffs and Defendants. I further certify that Plaintiffs consent to this motion and Defendants do not oppose it.

/s/ Daniel J. Cloherty

Daniel J. Cloherty